

Zoning Text Amendment No.: 20-05
Concerning: Commercial/Residential
Zones – Additional
Height
Draft No. & Date: 3 – 11/7/2020
Introduced: November 10, 2020
Public Hearing:
Adopted:
Effective:
Ordinance No.:

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF
THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN
MONTGOMERY COUNTY, MARYLAND**

Lead Sponsors: Councilmembers Hucker and Riemer

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- Allow additional building height in the Commercial Residential (CR) zone under certain circumstances

By amending the following sections of the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code:

Division 4.5. “Commercial/Residential Zones ”
Section 4.5.4. “Optional Method Development”

EXPLANATION: ***Boldface** indicates a Heading or a defined term.*

Underlining indicates text that is added to existing law by the original text amendment.

[Single boldface brackets] indicate text that is deleted from existing law by original text amendment.

Double underlining indicates text that is added to the text amendment by amendment.

[[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment.

** * * indicates existing law unaffected by the text amendment.*

ORDINANCE

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following ordinance:

Sec. 1. Division 4.5. Commercial/Residential Zones

Section 4.5.4. Optional Method Development

The CRT and CR zones allow development under the optional method.

A. General Requirements

* * *

B. Development Standards

* * *

2. Lot, Density, and Height

- a. Lot standards for detached house, duplex, and townhouse building types are determined by the site plan approval process under Section 7.3.4.
- b. The maximum total, nonresidential, and residential FARs and the maximum height are established by the mapped zone unless increased under Section 4.5.2.C [and], Section 4.5.2.D, or Section 4.5.4.B.2.d.
- c. [In the CR zone, a] A designated historic resource that does not occupy more than 10% of the gross floor area is excluded from the FAR calculation.
- d. The Planning Board may approve a maximum building height of 200 feet on a property that is:
 - i. in a Central Business District;
 - ii. located within ¼ mile of a Metrorail Station;
 - iii. mapped with a maximum building height of 145;
 - iv. abutting or confronting, on at least two sides, properties that are zoned CR and are mapped with a building height of at least 200 feet; and

v. required by an approved sketch plan and site plan to provide:

(A) a major public facility under Section 4.7.3.A; and

(B) at least 15% moderately priced dwelling units or at least 15% of residential floor area for moderately priced dwelling units under Chapter 25A.

* * *

Sec. 2. Effective date. This ordinance becomes effective immediately upon the Council's adoption.

Sec. 3. Sunset date. Subsection 4.5.4.B.2.d. will expire automatically on [effective date plus 2 years]. A complete application for sketch plan under this Subsection 4.5.4.B.2.d. must be filed and accepted as complete by the Planning Director before [effective date plus two years]. Any such sketch plan application that is subsequently approved will allow the applicant to proceed through any other required application step in the process, including amendments to all applications.

This is a correct copy of Council action.

Selena Mendy Singleton, Esq.
Clerk of the Council